

DOCKET NO.: 219501US0CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

Kiyoshi TANIGUCHI et al

: EXAMINER: Raymond Covington

SERIAL NO: 10/074,020

: ALLOWED DATE: April 22, 2003

FILED: FEBRUARY 14, 2002

: GROUP ART UNIT: 1625

FOR: PROPANOLAMINE DERIVATIVES

:

PETITION UNDER 37 C.F.R 1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to timely direct this case back to the Examiner for (1) acknowledgement of the prior consideration the information disclosure statement filed February 14, 2002, (2) acknowledgement of the foreign priority claims and (3) consideration of the attached amendment under 37 C.F.R. 1.312.

On June 12, 2003 the Applicants contact the Examiner to review these issues. However, according to the Tech Center this application is currently unavailable to the Examiner (in Publications). Accordingly, to timely make this allowed case available to the Examiner to acknowledge the information disclosure statement and foreign priority claims and consider the attached Amendment under 37 C.F.R. 1.312, the Applicants now file this Petition.

For the convenience of the Examiner a copy of the previously-filed Information Disclosure Statement and the date-stamped filing receipt are attached to this Petition. The

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Amendment under 37 C.F.R. 1.312 is also attached to this Petition.

Applicants do not believe that any petition fee is due. However, in the event any variance exists between the required petition fees and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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OSMM&N File No. 219501US0CONT

Dept.: CHEMICAL

By: NFO:TMC:mb

Serial No. New Application

In the matter of the Application of: Kiyoshi TANIGUCHI, et al.

For: PROPANOLAMINE DERIVATIVES

The following has been received in the U.S. Patent Office on the date stamped hereon:

170 pp. Specification 9 Claims/Drawings 0 Sheets (copy)
and 4 Pages Application Data Sheet

Combined Declaration, Petition & Power of Attorney (copy, executed, 4 pp.)

List of Inventor Names and Addresses

Utility Patent Application Transmittal

Request for Priority, PCT/IB/304

Check for \$740.00

Fee Transmittal Form

Assignment/PTO 1595 pages:

Letter to Official Draftsman

Letter Requesting Approval of Drawing Changes

Drawings sheets Formal

Letter

Amendment

Information Disclosure Statement

Cited References

Copy of International Search Report

Statement of Relevancy

IDS/Related/List of Related Cases

Restriction Response

Rule 132 Declaration

Petition for Extension of Time

Notice of Appeal

Brief

Issue Fee Transmittal

White Advance Serial Number Card

Small Entity Status is claimed

CPA

Priority Doc

Dep. Acct. Order Form

Cited Pending Applications

Election Response



Due Date: February 14, 2002

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Docket No.

219501US0CONT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Kiyoshi TANIGUCHI, et al.

SERIAL NO: New Application

FILED: Herewith

FOR: PROPANOLAMINE DERIVATIVES

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INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references on the attached form PTO-1449, which are listed on the International Search Report submitted in prior U.S. Application Serial No. 09/646,878, filed November 22, 2000 (pending).
- A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 219501US0CONT	SERIAL NO. New Application		
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Kiyoshi TANIGUCHI, et al.			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
					YES	NO	
	AO	EP 0 608 568	8/3/94	EUROPE			
	AP	FR 2 746 395	9/26/97	FRANCE			
	AQ	EP 0 714 883	6/5/96	EUROPE			
	AR	EP 0 611 003	8/17/94	EUROPE			
	AS	WO 96 04233	2/15/96	WIPO			
	AT	WO 96 04234	2/15/96	WIPO			
	AU	WO 98 41497	9/24/98	WIPO			
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	Z. Vejdelek, et al.: "Hypotensive derivative of 5-amino-6,7,8,9-tetrahydro-5H-benzocycloheptene", CHEMICAL ABSTRACTS, Vol. 80, No. 7, pg. 279, column 2, 1974.					
	AX						
	AY						
	AZ					<input type="checkbox"/> Additional References sheet(s) attached	
Examiner						Date Considered	
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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Docket No. 219501US0CONT
IN RE APPLICATION OF: Kiyoshi TANIGUCHI, et al.
SERIAL NO: 10/074,020
FILED: February 14, 2002
FOR: PROPANOLAMINE DERIVATIVES



- COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment under 37 C.F.R. 1.312 w/attached marked-up copy in the above-identified application.

No additional fee is required
 Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
 Additional documents filed herewith: Petition Under 37 C.F.R. 1.181; Copy of Date-stamped Filing Receipt, Information Disclosure Statement and PTO 1449 filed 2-14-02

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	39	MINUS	39	0	x \$18 =	\$0.00
INDEPENDENT	6	MINUS	3	3	x \$84 =	\$252.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$252.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
						TOTAL \$252.00

A check in the amount of \$252.00 is attached.
 Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
 If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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OSMM&N File No. 219501US0CONT

Dept.: Chemical

By: NFO/TMC/krs

Serial No. 10/074,020

In the matter of the Application of: Kiyoshi TANIGUCHI, et al.

For: PROPANOLAMINE DERIVATIVES

Due Date: n/a

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Check for \$252.00
- Dep. Acct. Order Form
- PTO Cover Letter
- Amendment Under 37 C.F.R. 1.312 w/attached marked-up copy
- Petition Under 37 C.F.R. 1.181
- Copy of Date-stamped Filing Receipt, Information Disclosure Statement and PTO 1449 filed 2-14-02

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JUN 20 2003

OFFICE OF PETITIONS

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